

02.02.2026

Court No.35.

M/L.95.

Rakib

(Allowed)

CRM (M) 1996 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Naihati Police Station case no. 182 of 2022 dated 18.04.2022 under Sections 376(3) of the Indian Penal Code and Section 4 of the POCSO Act.

And

In the matter of : Tapas Kundu alias Buro alias Boro.

.....Petitioner.

Mr. Shashanka Sekhar Saha

.....for the Petitioner.

Ms. Suveni Banerjee

.....for the State.

Report submitted by the State in respect of service effected upon the victim be kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for three years ten months and till date only one witness has been examined out of 19 witnesses cited by the prosecution.

Learned advocate for the State opposes the prayer for bail and draws the attention to the statement of the victim under Section 164 of the Cr.P.C. as well as the medical documents which are appearing in the Case Diary.

Having considered the period of detention of the present petitioner, I am of the view that further incarceration of the petitioner is unwarranted. Accordingly, the prayer for bail of the petitioner is allowed on stringent condition.

As such, petitioner namely, **Tapas Kundu alias Buro alias Boro** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000 (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Judge, Special Court under POCSO Act, Barrackpore, North 24 Parganas.

If on bail, the petitioner shall be physically present on each and every date before the learned trial Court in seisin of the case and shall not leave the jurisdiction of district of North 24 Parganas without the prior permission of the learned Special Court.

Additionally, petitioner shall not enter the jurisdiction of Naihati Police Station till further orders of this Court.

Accordingly, the application for bail being CRM (M) No. 1996 of 2025 is **allowed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)